



06/24/05

DA C\$

Attorney Docket 3324.1A(A1-01US2)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: James W. Overbeck et al. Examiner: <not yet assigned>  
Serial No: 10/779,482 Art Unit: <not yet assigned>  
Filed: February 14, 2004  
For: DEPOSITING FLUID SPECIMENS ON SUBSTRATES, RESULTING  
ORDERED ARRAYS, TECHNIQUES FOR ANALYSIS OF DEPOSITED  
ARRAYS

Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENTS  
ABANDONED UNINTENTIONALLY UNDER 37 CFR §1.137(b)**

This is a Petition to Revive the above-captioned application that became unintentionally abandoned, pursuant to the Notice of Abandonment mailed February 9, 2005, for failure to respond to the Notice to File Missing Parts mailed May 13, 2004.

The entire period of delay in responding to the outstanding Notice to File Missing Parts was unintentional.

The undersigned submits the following documents:

1. Petition to Revive the above-captioned application
2. Copy of Notice of Abandonment mailed on February 9, 2005.
3. Response to the Notice to File Missing Parts.
4. Copy of Notice to File Missing Parts mailed May 13, 2004.
5. Preliminary Amendment
6. Petition fee under 37 CFR 1.17(m) in the amount of \$1,500.00
7. Terminal Disclaimer is not required since this application claims priority back to 1998.

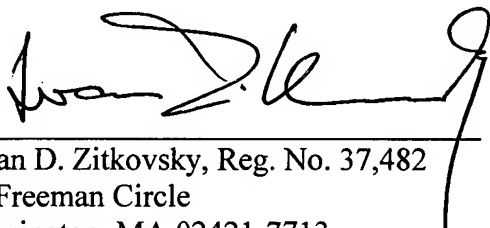
06/27/2005 MAHMED1 00000045 010431 10779482

01 FC:1453 1500.00 DA

Please charge the filing fees (basic, search and examination fee, and surcharge fee) in the amount of **\$1,130.00** to Deposit Account 01-0431. Please charge the Petition fee in the amount of **\$1,500.00** and any other fee to Deposit Account 01-0431.

If this Petition is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at 781-274-6690.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ivan D. Zitkovsky', written over a horizontal line.

Ivan D. Zitkovsky, Reg. No. 37,482  
6 Freeman Circle  
Lexington, MA 02421-7713

Express Mail Label No.: EV562864433US  
Date of Deposit: June 23, 2005

Tel. +781-274-6690 (or 274-8064)  
Fax +781-274-6696



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/779,482	02/14/2004	James W. Overbeck	3324.1A(01US2)

33743  
 CHIEF INTELLECTUAL PATENT COUNSEL  
 AFFYMETRIX, INC.  
 3380 CENTRAL EXPRESSWAY  
 SANTA CLARA, CA 95051

**CONFIRMATION NO. 5524**  
**ABANDONMENT/TERMINATION**  
**LETTER**



\*OC000000015142547\*

Date Mailed: 02/09/2005

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/13/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

---

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE